

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division**

RLI INSURANCE COMPANY,

Plaintiff,

v.

Case No.: 5:18-cv-00066-MFU

NEXUS SERVICES, INC., *et al.*,

Defendants.

**SECOND SUPPLEMENT TO RLI'S APPLICATION FOR REASONABLE
LEGAL FEES, COSTS, AND EXPENSES TO COMPEL NEXUS' COMPLIANCE WITH
INJUNCTIVE PROVISIONS OF OCTOBER 23, 2020 ORDER**

Plaintiff RLI Insurance Company ("RLI"), by counsel, hereby submits this Second Supplement to its Application for Reasonable Legal Fees, Costs, and Expenses Resulting from RLI's Post-Judgment Efforts to Compel Defendants Nexus Services, Inc., Libre by Nexus, Inc. and Homes by Nexus, Inc.'s (collectively, "Nexus") Compliance with the October 23, 2020 Order ("Application") (ECF Nos. 744, 745).

By its August 12, 2021 Order, the Court, as a civil contempt sanction, granted RLI's request for legal fees, costs, and expenses in response to Nexus' failure to comply with the Court's October 23, 2020 Order. *See* ECF No. 721, § VI. Accordingly, on September 13–14, 2021, RLI submitted its Application and (first) Supplement – as well as declarations of Vivian Katsantonis (ECF Nos. 744-1, 745-1) and supporting exhibits (ECF Nos. 744-2, 744-2, 744-3, 744-4 & 745-2) – seeking the legal fees, costs and expenses it reasonably incurred in attempting to compel Nexus' compliance with the injunctive relief granted in the October 23, 2020 Order, from issuance of the October 23 Order through August 10, 2021, in the aggregate sum of \$597,670.47.

Since the August 10, 2021 hearing through February 28, 2022, RLI has incurred additional legal fees, costs and expenses further related to attempting to compel Nexus' compliance with the injunctive relief granted in the October 23, 2020 Order. As set forth in the attached Second Supplemental Declaration of Vivian Katsantonis and the supporting exhibit thereto, which are incorporated by this reference as though fully set forth herein, RLI has reasonably incurred the following legal fees, costs and expenses for the time period of August 11, 2021 through February 28, 2022, in attempting to compel Nexus' compliance with the injunctive relief granted in the October 23, 2020 Order:

- i. \$315,402.00 in Watt Tieder counsel fees; and
- ii. \$3,264.52 in Watt Tieder costs.

WHEREFORE, RLI respectfully requests that this Court enter an order and judgment in favor of RLI and against Nexus, awarding to RLI legal fees, costs and expenses in the total amount of \$916,336.99 (\$597,670.47 as set forth in ECF Nos. 744–45 + \$318,666.52 as set forth herein).¹

Executed on: March 11, 2022

/s/ Vivian Katsantonis
Vivian Katsantonis

¹ RLI may submit a brief addendum to this Supplement accounting for the legal costs, fees and expenses incurred in March 2022.

CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

/s/ Vivian Katsantonis
Vivian Katsantonis